UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/Sub.2/1994/L.11/Add.1
22 August 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and
Protection of Minorities
Forty-sixth session
Agenda item 22

DRAFT REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-SIXTH SESSION

Rapporteur: Mr. Osman El-Hajjé

CONTENTS*

Chapter — Page

II. A. Resolutions

1994/4 Prevention of discrimination and protection of minorities 3

1994/5 Report of the Working Group on Contemporary Forms of Slavery 8

* E/CN.4/Sub.2/1994/L.10 and addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Commission on Human Rights, will be contained in documents E/CN.4/Sub.2/1994/L.11 and addenda.

CONTENTS (continued)

Chapter		Page
1994/6	United Nations Trust Fund on Contemporary Forms of Slavery	14
1994/7	Machinery for monitoring the international conventions on slavery	15
1994/8	Children and the right to adequate housing	15
1994/9	Situation of children deprived of their liberty	18
1994/10	Human rights and disability	19
B. Decisions		
1994/108	Slavery during wartime	21

1994/4. Prevention of discrimination and protection of minorities

The Sub-Commission on Prevention of Discrimination and Protection of Minorities.

Deeply concerned that the number of reported incidents attributable to racism, racial discrimination and xenophobia and related intolerance has increased,

Disturbed by the widespread occurrence of violent conflicts in many parts of the world where ethnic or religious hostility is engendered and exploited by one or more of the parties to the conflict,

Noting with great interest the valuable report submitted to the Commission on Human Rights at its fiftieth session by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Maurice Glélé-Ahanhanzo (E/CN.4/Sub.2/1994/66),

Recalling its resolution 1993/43 of 26 August 1993, in which it decided to consider at its forty-sixth session the follow-up to be given to the final report presented by Mr. Asbjørn Eide on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities (E/CN.4/Sub.2/1993/34 and Add.1-4), including the feasibility and usefulness of the preparation of a comprehensive programme for the prevention of discrimination and protection of minorities, and entrusted Mr. Eide with the task of preparing a working paper containing suggestions for such a programme,

Noting Commission on Human Rights resolution 1994/22 of 1 March 1994 on the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Having examined in great detail the working paper submitted by Mr. Eide (E/CN.4/Sub.2/1994/36 and Corr.1), as well as the final report presented in 1993,

Convinced of the need to ensure equality and non-discrimination between all groups in society and to find peaceful and constructive solutions to minority situations in accordance with international law,

Taking note of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and convinced that its implementation, in conjunction with the International Convention on the

Elimination of All Forms of Racial Discrimination and all other relevant international instruments, provides the best guidance for such endeavours,

Reiterating that all groups should cooperate peacefully in the search for constructive accommodation of their respective concerns within the general framework of international human rights law and should abstain from any use of violence,

Emphasizing the need for systemwide cooperation within the United Nations to facilitate peaceful solutions to such situations,

Underlining the significant contributions which are made by the relevant treaty-monitoring bodies, in particular the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on the Rights of the Child, to this task,

Aware of the important contributions rendered by the High Commissioner for Human Rights,

Underlining the need for close cooperation between the Sub-Commission and the Commission on Human Rights in this field,

1. Expresses its profound appreciation to the Special Rapporteur, Mr. Asbjørn Eide, for the working paper containing suggestions for a comprehensive programme for the prevention of discrimination and protection of minorities (E/CN.4/Sub.2/1994/36 and Corr.1) as well as for his final report on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities (E/CN.4/Sub.2/1993/34 and Add.1-4);

2. Requests the Secretary-General to invite Governments and competent intergovernmental and non-governmental bodies to submit their comments on the recommendations contained in addendum 4 to the final report and to make the comments available at the forty-seventh session of the Sub-Commission;

3. Recommends that the final report be published in all the official languages of the United Nations and that it be given the widest possible circulation;

4. Endorses the proposals made in the working paper for the development by the Sub-Commission of a comprehensive programme to fulfil its dual mandate of prevention of discrimination and protection of minorities;

5. Decides that, beginning at its forty-sixth session, its agenda will include annually an item concerning a comprehensive examination of thematic issues relating to racism, xenophobia, minorities and migrant workers;

6. Recommends, as a first step, that the Commission on Human Rights request the Economic and Social Council to authorize the establishment of an inter-sessional working group of the Sub-Commission to examine, inter alia, peaceful and constructive solutions to situations involving minorities, and in particular to:

(a) Review the practical application of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

(b) Provide recommendations to the Sub-Commission and other competent entities, including the High Commissioner for Human Rights, on further measures for the protection of minorities in cases where the working group finds a risk of the eruption or escalation of violence between different groups in society;

(c) Promote dialogue between minority groups in society and between those groups and Governments;

7. Recommends that the working group should consist of five members of the Sub-Commission and be open to representatives of minorities, regardless of whether they have consultative status with the Economic and Social Council, Governments, treaty-monitoring bodies, specialized agencies and other relevant intergovernmental bodies and non-governmental organizations;

8. Recommends also that the Commission, further to paragraph 12 of Commission resolution 1994/22 of 1 March 1994 and bearing in mind the importance and complexity of the question of the protection of minorities, request the assistance of Mr. Asbjørn Eide, who is an expert in the field of minorities, to prepare an analytical report on minority issues, to submit a preliminary report to the Commission at its fifty-second session and a final report at its fifty-third session, bearing in mind in particular the new developments affecting minorities;

9. Recommends further that the Centre for Human Rights be strengthened to enable it to provide adequate services to the working group and for the purpose of undertaking relevant studies, evaluation and action in this field;

10. Recommends the following draft resolution to the Commission on Human Rights for adoption:

The Commission on Human Rights,

Taking note of resolution 1994/4 of 19 August 1994 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. Endorses the recommendations

(a) That an inter-sessional working group of the Sub-Commission be established, consisting of five of its members, to examine, inter alia, peaceful and constructive solutions to situations involving minorities, and in particular to:

(i) Review the practical application of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

(ii) Provide recommendations to the Sub-Commission and other competent entities, including the High Commissioner for Human Rights, on further measures for the protection of minorities in cases where the working group finds a risk of the eruption or escalation of violence between different groups in society;

(iii) Promote dialogue between minority groups in society and between those groups and Governments;

(b) To request the assistance of Mr. Asbjørn Eide to prepare an analytical report on minority issues, as envisaged in Commission resolution 1994/22 of 1 March 1994, to submit a preliminary report to the Commission at its fifty-second session and a final report at its fifty-third session, bearing in mind in particular the new developments affecting minorities;

(c) That the Centre for Human Rights be strengthened to enable it to provide adequate services to the working group and for relevant studies, and for the purpose of undertaking relevant evaluation and action in this field;

(d) That the study by Mr. Eide on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities (E/CN.4/Sub.2/1993/34 and Add.1-4) be published in all the official languages of the United Nations and given the widest possible circulation;

2. Recommends the following draft resolution to the Economic and Social Council for adoption:

The Economic and Social Council,

Taking note of Commission on Human Rights resolution 1995/... and of Sub-Commission resolution 1994/4,

Endorses the recommendations of the Sub-Commission and the Commission to:

(a) Establish an inter-sessional working group of the Sub-Commission to examine, inter alia, peaceful and constructive solutions to situations involving minorities, and in particular to:

(i) Review the practical application of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

(ii) Provide recommendations to the Sub-Commission and other competent entities, including the High Commissioner for Human Rights, on further measures for the protection of minorities in cases where the working group finds a risk of the eruption or escalation of violence between different groups in society;

(iii) Promote dialogue between minority groups in society and between those groups and Governments;

(b) Request the assistance of Mr. Asbjørn Eide to prepare an analytical report on minority issues, as envisaged in Commission resolution 1994/22 of 1 March 1994, to submit a preliminary report to the Commission at its fifty-second session and a final report at its fifty-third session, bearing in mind in particular the new developments affecting minorities;

(c) Strengthen the Centre for Human Rights to enable it to provide adequate services to the working group and for the purpose of undertaking relevant studies, evaluation and action required in this field;

(d) Publish the study by Mr. Eide on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities (E/CN.4/Sub.2/1993/34 and Add.1-4) in all the official languages of the United Nations and to give it the widest possible circulation.

27th meeting
19 August 1994

[Adopted without a vote]

1994/5. Report of the Working Group on Contemporary Forms of Slavery

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Taking note of the report of the Working Group on Contemporary Forms of Slavery on its nineteenth session (E/CN.4/Sub.2/1994/33 and Corr.1), and in particular the recommendations contained in chapter VI,

Deeply concerned at the information it contains relating to the traffic in persons and the exploitation of the prostitution of others, the sale of children, child prostitution and child pornography, the exploitation of child labour, debt bondage, the alleged practice of removal of organs and slavery-like practices such as the phenomenon of child soldiers,

Noting that the status of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 is still unsatisfactory,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery for its valuable work and in particular for its continued broad approach and flexible methods of work;

I. SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

A. Special Rapporteur on the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes

2. Warmly thanks the Special Rapporteur on the sale of children, child prostitution and child pornography for his participation in the nineteenth session of the Working Group and for his comprehensive intervention;

3. Takes note of the information on these problems submitted by the participants at the nineteenth session of the Working Group, and requests the Centre for Human Rights to transmit the information to the Special Rapporteur, along with the recommendations relating to his mandate;

4. Requests the Special Rapporteur, within the framework of his mandate, to continue to pay attention to issues relating to trafficking in children, such

as alleged transplantation of organs, disappearances, the purchase and sale of children, adoptions for commercial purposes or exploitation and child prostitution;

5. Invites the Special Rapporteur to participate in the twentieth session of the Working Group;

B. Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography

6. Requests the Secretary-General to invite States to inform the Working Group of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and to submit a report thereon to the Sub-Commission at its forty-seventh session and to the Commission at its fifty-second session;

7. Encourages all Governments to consider, in the context of the Programme of Action, the creation of programmes aimed at the social rehabilitation of all victims of trafficking, prostitution and pornography, in particular children, and requests international cooperation for establishing and implementing such programmes;

C. Removal of organs from children

8. Requests the Secretary-General to invite again all Governments, United Nations organizations and bodies, including the United Nations Children's Fund, the specialized agencies, in particular the World Health Organization, the International Criminal Police Organization and all relevant non-governmental organizations, including scientific and medical associations, to pursue their investigation of allegations that children are victims of, or are even killed for, the removal of organs for the purposes of commercial transplants and to indicate any measures taken to counteract this practice wherever it exists, and to present a report to the Working Group at its next session;

9. Decides to continue to examine this matter at its forty-seventh session and to consider the advisability of drafting, with the cooperation of the World Health Organization, United Nations standards to ensure protection against unlawful organ transplants;

II. ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR

10. Decides to transmit the report of the Secretary-General on the state of implementation of the Programme of Action on the Elimination of the

Exploitation of Child Labour (E/CN.4/Sub.2/1994/34) to the Commission on Human Rights for its consideration;

11. Recommends that the Commission at its fifty-first session endorse the recommendation of the Sub-Commission, contained in its resolution 1993/5 of 5 August 1993, to appoint Mrs. H.E. Warzazi as Special Rapporteur on the exploitation of child labour and debt bondage, having regard to the importance of this study;

12. Urges all States, while attempting to eliminate ultimately the phenomenon of child labour, to adopt measures and regulations to protect child labourers and to ensure that their labour is not exploited.

III. ERADICATION OF DEBT BONDAGE

13. Takes note with satisfaction of the promulgation by States of laws against debt bondage and appeals to the Governments concerned to adopt all measures to implement such laws;

14. Recommends that the specialized agencies and in particular the financial institutions of the United Nations system ensure that the projects they support do not use or in any way promote bonded labour;

IV. CHILD SOLDIERS

15. Requests the Secretary-General to transmit to the expert appointed pursuant to General Assembly resolution 48/157 of 20 December 1993 the report of the Working Group and any other information made available on this issue;

V. PREVENTION OF TRAFFIC IN PERSONS AND EXPLOITATION OF THE PROSTITUTION OF OTHERS

16. Recommends that the Commission on Human Rights take into consideration at its fifty-first session and eventually adopt the draft programme of action for the prevention of trafficking in persons and exploitation of the prostitution of others;

17. Requests the Secretary-General to appeal to the World Tourism Organization to inscribe on the agenda for its next conference an item on sex tourism and its development;

18. Recommends that Governments prohibit advertising which encourages sex tourism, and encourages them to establish specific projects, with the cooperation and financial contribution of the tourism industry for the protection of the

victims of traffic in persons and of prostitution from the risk of contamination with the HIV virus and the spread of AIDS;

19. Recommends that Governments adopt legislation to punish their citizens who make use of sex tourism when it involves child prostitution and child pornography;

20. Urges States to introduce and reinforce education programmes alerting children to the risks of sexual exploitation and the consequences for individuals and for society of such exploitation;

21. Recommends that States, non-governmental organizations, tourism industry syndicates, religious leaders and grass-roots organizations take urgent measures designed to protect minors from exposure to or involvement in child pornography, and requests the Secretary-General to invite States to provide information on measures taken or already applicable in this regard;

22. Also recommends that national bodies for the prevention of prostitution be established in all States in order to assist in the rehabilitation and reintegration of victims of prostitution;

VI. MIGRANT WORKERS

23. Urges States to ratify the convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

24. Strongly condemns practices of unequal treatment of migrant workers and the denial to them of minimum human consideration and dignity;

25. Recommends to non-governmental organizations, in the framework of their activities, to give attention to the grave problems affecting migrant workers and to provide information to the Working Group in this regard;

VII. INCEST

26. Welcomes the decision of the Working Group to include this item in its agenda for the twentieth session and to consider ways to combat incest and the sexual abuse of children, and urges that adequate help be offered to victims of such practices;

27. Urges Member States to take adequate steps to punish suitably the perpetrators of this most heinous offence;

VIII. FORCED LABOUR

28. Considers that forced labour is a contemporary form of slavery;

29. Welcomes the decision of the Working Group to include this item in the provisional agenda of its twentieth session;

IX. MISCELLANEOUS

30. Decides to transmit the information received concerning the sexual exploitation of women and other forms of forced labour during wartime to the Special Rapporteurs on the question of the impunity of perpetrators of violations of human rights, and recommends that the Special Rapporteurs take into consideration the information on this question received by the Working Group during its nineteenth session;

31. Approves the timetable for the twentieth session proposed by the Working Group (E/CN.4/Sub.2/1994/33, chap. VI.B, recommendation 8);

32. Requests the Secretary-General to seek the views and suggestions of Member States and of intergovernmental and non-governmental organizations on proposals for future action of the Working Group with a view to the consideration of their replies by the Working Group at its forthcoming sessions;

33. Appeals to all Governments to send representatives to the meetings of the Working Group;

34. Encourages youth organizations and young persons from various non-governmental organizations to participate in the meetings of the Working Group;

35. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, and to include in their guidelines an item concerning contemporary forms of slavery;

36. Also recommends that the supervisory bodies of the International Labour Organisation and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular

attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons;

37. Requests the Secretary-General to transmit to the committees mentioned above, the Special Rapporteurs concerned and the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights the recommendations of relevance to them contained in the report of the Working Group;

38. Welcomes the decision of the Secretary-General to reassign to the Working Group a Professional staff member of the Centre for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Centre for Human Rights on issues relating to contemporary forms of slavery, prepare documentation well in advance and facilitate the attendance at the Working Group's sessions of the largest possible number of intergovernmental and non-governmental organizations with competence in the fields examined;

39. Again requests the Secretary-General to designate the Centre for Human Rights as the focal point for the coordination of activities and the dissemination of information within the United Nations system for the suppression of contemporary forms of slavery and to report on the measures taken for that purpose to the Commission on Human Rights at its fifty-first session and to the Working Group at its twentieth session;

40. Notes that the Economic and Social Council, in its resolution 1993/[illegible] of 28 July 1993, approved the endorsement by the Commission on Human Rights of the recommendation made by the Sub-Commission in its resolution 1992/2 of 14 August 1992 that arrangements regarding the organization of the sessions of the Working Group on Contemporary Forms of Slavery, as contained in Commission decision 1992/115 of 3 March 1992, be repeated in subsequent years;

41. Recommends that the Commission make provision for adequate discussion of the issue of contemporary forms of slavery and of the Working Group's report near the beginning of each session, thereby strengthening its involvement in the activities of the Working Group on Contemporary Forms of Slavery.

27th meeting
19 August 1994

[Adopted without a vote.]

1994/6. United Nations Trust Fund on Contemporary Forms of Slavery

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling General Assembly resolution 46/122 of 17 December 1991,

Taking into account the recommendation made by the Working Group on Contemporary Forms of Slavery at its nineteenth session (E/CN.4/Sub.2/1994/33, pp. 30-31),

1. Thanks the representative of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery for his constructive participation in the proceedings of the Working Group;

2. Appeals to all Governments, governmental and non-governmental organizations, private institutions and individuals to respond favourably to requests for contributions to the Fund, and urges them to publicize the establishment and function of the Fund, so as to increase general awareness of its existence;

3. Considers it essential, in order to make the Trust Fund more effective, that the General Assembly consider amending the criteria for the Fund contained in its resolution 46/122 of 17 December 1991, in order to clarify the purposes of the Fund by reprioritizing them and, consequently, to reprioritize the potential beneficiaries, by reversing the order of subparagraphs 1 (e) (i) and 1 (e) (ii) of resolution 46/122;

4. Recommends that the Commission on Human Rights endorse the recommendation of the Sub-Commission described in paragraph 3 of the present resolution;

5. Requests the Secretary-General to study ways and means to draw the attention of potential donors to the important role played by the Fund and to mention on the list of donors both public and private donors;

6. Invites a representative of the Fund to attend the twentieth session of the Working Group.

27th meeting

1994/7. Machinery for monitoring the international conventions on slavery

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolution 1993/7 of 20 August 1994,

Noting paragraphs 3, 4, 5 and 6 of Commission on Human Rights resolution 1994/25 of 4 March 1994,

1. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1994/7 of 19 August 1994, decides that the Working Group on Contemporary Forms of Slavery should continue its work and that for the purpose of reviewing the implementation of the conventions on slavery, authorizes the Working Group to request information from Member States with a view to formulating concrete recommendations; also decides: to authorize the Working Group to cooperate with the Governments concerned in the review and evaluation of ways and means to eradicate slavery in all its forms and to request contributions to the work of the Working Group from experts of the United Nations Children's Fund, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the International Criminal Police Organization; to authorize the Sub-Commission to appoint the members of the Working Group for a period of three years; and to examine this matter at regular intervals to verify the efficiency of the mechanism proposed."

27th meeting
19 August 1994

[Adopted without a vote.]

1994/8. Children and the right to adequate housing

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling the recognition and legal foundations of the right to adequate housing in, inter alia, the Universal Declaration on Human Rights (art. 25.1),

the International Covenant on Economic, Social and Cultural Rights, (art. 11.1), the Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (iii)) and the Convention on the Rights of the Child (art. 27.3),

Recalling also resolution 1992/10 of 21 February 1992 of the Commission on Human Rights, in which it took note with particular interest of General Comment No. 4 (1991) on the right to adequate housing (E/1992/23, annex III) adopted by the Committee on Economic, Social and Cultural Rights at its sixth session, resolution 1993/77 of 10 March 1993 entitled "Forced evictions" and resolution 1994/14 of 25 February 1994 entitled "Promoting the realization of the right to adequate housing", adopted without a vote by the Commission on Human Rights at its forty-ninth and fiftieth sessions respectively,

Recalling further its resolutions 1991/12 of 26 August 1991, 1992/14 of 27 August 1992 and 1993/41 of 26 August 1993, entitled "Forced evictions",

Conscious that one of the areas where the indivisibility and interdependence of human rights and of the rights of children become most apparent is with respect to the existence of widespread poverty leading to inadequate housing and living conditions,

Aware of the worsening situation around the world of the living conditions of children and of the fact that tens of millions of children are being forced to live in the streets, in slums and on pavements, and that this number is growing daily,

Concerned at the especially adverse living conditions of children belonging to vulnerable groups, including indigenous people and ethnic, racial, religious and other minorities,

Deeply concerned at the particularly adverse effects of forced evictions on the health, well-being and development of children,

Stressing in general the adverse impact of poverty, and in particular of inadequate living and housing conditions, on the realization of the basic rights of children, including the right to food, to health, to education and the right to birth registration,

Stressing also that the various competent supervisory mechanisms, including the Committee on the Rights of the Child, as well as the specialized agencies of the United Nations system, need to focus more on the impact of inadequate living

and housing conditions on the realization of the economic, social and cultural rights of children and their families in all parts of the world,

1. Reminds Governments to comply to the maximum extent of available resources with all existing obligations concerning the legally recognized rights of children to an adequate standard of living and the continuous improvement of living and housing conditions;

2. Recognizes the importance in this regard of international cooperation and the need for cooperation between Governments, non-governmental organizations and international agencies;

3. Recommends that the Special Rapporteur on the promotion of the realization of the right to adequate housing devote special attention in his final report, to be submitted in 1995, on the impact that violations of the right to adequate housing have on the realization of the full range of the rights of the child;

4. Also recommends that all relevant special rapporteurs, in particular the Special Rapporteurs on extreme poverty and on population transfer, take into account the question of the housing rights of children and their families in the preparation of their reports;

5. Requests the Committee on the Rights of the Child to give special attention to the issue of the housing rights of children and their families when examining States parties' reports and to consider developing appropriate indicators to assess the state of children's housing and living conditions;

6. Also requests the Committee on the Rights of the Child to consider devoting a day of general discussion to the impact of poverty and inadequate living and housing conditions on the economic, social and cultural rights of children;

7. Invites the United Nations Children's Fund to consider including, in its publications The State of the World's Children and The Progress of Nations, a separate section on the state of children's housing rights and to support actively local, national and international initiatives aimed at improving children's living and housing conditions;

8. Requests the specialized agencies and organizations and bodies of the United Nations system to devote special attention to the issue of children and

housing rights in their policies, programmes and publications, and to develop and promote the application of reliable indicators to assess the state of children's housing rights;

9. Urges the international financial institutions, in particular the World Bank and the International Monetary Fund, to take fully into account the human rights implications for children of their policies, in particular structural adjustment programmes and the funding of large-scale development projects;

10. Requests Governments, the specialized agencies and organizations and bodies of the United Nations system to develop effective strategies for rapidly improving the housing and living conditions of children throughout the world, in full consultation with and with the full participation of children themselves, their representatives and community-based non-governmental and other relevant groups;

11. Decides to review the matter of children and the right to adequate housing at its forty-seventh session, under the relevant agenda item.

27th meeting
19 August 1994

[Adopted without a vote.]

1994/9. Situation of children deprived of their liberty

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Convention on the Rights of the Child,

Mindful of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, as well as of the Standard Minimum Rules for the Treatment of Prisoners,

Recalling its resolution 1992/25 of 27 August 1992 and Commission on Human Rights resolution 1993/80 of 10 March 1993 entitled "Application of international standards concerning the human rights of detained juveniles", in which concern

was expressed that, because of the great vulnerability of juveniles to various forms of abuse, neglect and injustice and the profound and indelible impact of such traumatic experiences on their developing personalities, violations of the human rights of detained juveniles had serious and far-reaching consequences for the juveniles concerned and for society,

Conscious of its responsibility to contribute to the promotion and encouragement of respect for the rights of children,

Reiterating its deep concern about the situation of children deprived of their liberty and the violation of their fundamental human rights, in particular the deprivation of their rights to life, physical integrity and security of person, humane treatment, and separation from adult criminals in prison establishments,

1. Invites the Committee on the Rights of the Child to give priority to an in-depth examination of the topic "Situation of children deprived of their liberty";

2. Urges all the relevant human rights treaty monitoring bodies, the United Nations Children's Fund, the International Labour Organisation, the United Nations Educational Scientific and Cultural Organization, the World Health Organization and the International Criminal Police Organization, Governments, and other intergovernmental and non-governmental organizations to give particular attention in their work to the grave situation of children deprived of their liberty and to the implementation of provisions and standards designed to ensure their protection;

3. Requests the Secretary-General to submit to the Sub-Commission at its forty-seventh session a note on the situation of children deprived of their liberty under the agenda sub-item entitled "Prevention of discrimination and protection of children: human rights and youth".

27th meeting
19th August 1994

[Adopted without a vote.]

1994/10. Human rights and disability

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolution 1993/22 of 20 August 1993 and the reference therein to the 1993 Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, which reaffirm that persons with disabilities should be guaranteed equal opportunity through the elimination of all barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society,

Noting the report prepared by the Secretary-General (E/CN.4/Sub.2/1994/35) pursuant to the request of the Sub-Commission in resolution 1993/22 for information on the coordination endeavours, and their results, undertaken by the various United Nations organs and bodies concerned with the protection of disabled persons and the discussion in that report of monitoring work expected to be undertaken by both the new special rapporteur and the Commission for Social Development, regarding the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex),

Noting also that the Commission on Human Rights, in its resolution 1994/27 of 4 March 1994, reaffirmed its commitment to ensuring that the rights of persons with disabilities and their concern for full participation in community affairs continue to be addressed in all of its work,

Recognizing that the Standard Rules in themselves do not contain legal clauses that obligate States to respect pertinent provisions of the International Bill of Human Rights and other human rights instruments, such as the Convention on the Rights of the Child,

Mindful of the Sub-Commission's continuing responsibility, under Commission on Human Rights resolution 8 (XXIII) and Economic and Social Council resolution 1235 (XLII), to study, each year, situations which reveal a consistent pattern of violations of human rights and fundamental freedoms set out in the International Bill of Human Rights and in pertinent United Nations treaties,

Mindful also of Mr. Leandro Despouy's prediction in his report entitled Human Rights and Disabled Persons (United Nations publication, Sales No. E.92.XIV.4, para. 280) that, at the conclusion of the Decade of Disabled Persons, those persons will find themselves at a disadvantage in relation to other vulnerable groups such as refugees, women and migrant workers,

1. Requests the Secretary-General to report in 1995 to the Sub-Commission regarding coordination endeavours which affect disabled persons, with emphasis on activities of the other United Nations organizations and bodies that deal with alleged violations of the legal obligations of States under the International Bill of Human Rights and United Nations treaties that protect disabled persons;

2. Also requests the Secretary-General, in response to the concern of the General Assembly expressed in resolution 48/99 of 20 December 1993 regarding the need to give higher priority and visibility to disability issues, to help ensure, first, a wider distribution of Mr. Leandro Despouy's report entitled Human Rights and Disabled Persons (United Nations publication, Sales No. E.92.XIV.4) and, second, an expanded discussion of juridical aims that might be achieved were there appropriate exercise of the Ombudsman function briefly described in that report (para. 281 (b));

3. Decides to remain seized of the question and to consider it at its forty-seventh session under the same agenda item.

27th meeting
19 August 1994

[Adopted without a vote.]

1994/108. Slavery during wartime

At its 27th meeting, on 19 August 1994, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, taking note of the information concerning slavery and slavery-like practices during wartime which was received by the Working Group on Contemporary Forms of Slavery at its nineteenth session and by the Sub-Commission at its present session, bearing in mind the importance of this information, which requires an in-depth study as a matter of priority, recalling its resolution 1993/24 of 25 August 1993 on slavery and slavery-like practices in which it decided to entrust Mrs. Linda Chavez, as Special Rapporteur, with the task of undertaking an in-depth study on the situation of systematic rape, sexual slavery and slave-like practices during wartime including, internal armed conflict and considering decision 1994/103 of 4 March 1994, in which it requested the Sub-Commission to reconsider its decisions to

recommend a number of studies and related efforts, including the above-mentioned study, decided, without a vote, to invite Mrs. Linda Chavez to submit without financial implications, a working paper on the situation of systematic rape, sexual slavery and slavery-like practices during wartime including internal armed conflict, to the Sub-Commission at its forty-seventh session; to request the concerned Governments, intergovernmental and non-governmental organizations to cooperate with the expert in the preparation of her working paper and to consider this subject at its forty-seventh session as a matter of priority.